UNITED STATES DISTRICT COURT		EASTERN DISTRICT OF TEXAS
DAVID D. STURGAL,	§	
Plaintiff,	§ §	
versus	§ §	CIVIL ACTION NO. 1:09-CV-388
MICHAEL J. ASTRUE,	§ §	
COMMISSIONER OF SOCIAL SECURITY ADMINISTRATION,	§ §	
Defendant.	§ §	

MEMORANDUM OPINION ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The Court heretofore ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable law and orders of this Court. The Court has received and considered the Report of the United States Magistrate Judge pursuant to such order, along with the record and pleadings. Neither party objects.

The court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct and the Report of the United States Magistrate Judge is ADOPTED. A Final Judgment will be entered separately, remanding this action to the Commissioner for rehearing under the fourth sentence of 42 U.S.C. § 405(g).

SIGNED at Sherman, Texas, this 17th day of February, 2010.

MARCIA A. CRONE UNITED STATES DISTRICT JUDGE

Maria a. Crone.